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EDWARD COOPER, EDITOR.

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—~~RE~~ All letters and communications intended for the District School Journal should be directed to the Editor, Albany, N. Y., Post Paid.

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REPORT

OF THE

Superintendent of Common Schools.

SUPERINTENDENT'S OFFICE,
DEPARTMENT OF COMMON SCHOOLS,
ALBANY, DEC. 30, 1848.

To the Legislature:—

The Superintendent of Common Schools, in obedience to various statutes relating to Common Schools, and the duties of his office, respectfully submits the following Annual Report:—

I. A statement of the condition of the schools of the State.

1. Condition of the schools.
2. Schools for colored children.
3. Indian schools.
4. Of the organization of the common schools.

II. Estimates and accounts of the expenditure of the school money.

1. Of the revenue of the fund.
2. Receipts and expenditures of 1847.
3. Receipts and apportionments of 1848.
4. The estimates for 1848.
5. Estimates for 1849.
6. Estimates for 1850.

III. The capital of the fund, and remarks upon the improvement and management thereof.

1. Of the capital.
2. Of the improvement and management thereof.

IV. Of other matters pertaining to the office of superintendent, under the several heads.

1. School district libraries.
2. Teachers' Institutes.
3. Of supervision and inspection.
4. The present system.
5. Free schools.
6. The Normal school.
7. The District School Journal.
8. School houses.
9. Institutions for the Deaf and Dumb, and for the Blind.
10. General observations.

There are twelve incorporated cities in the State, divided into eighty-one wards. The fifty-nine counties in the State contain eight hundred and seventy-three towns, exclusive of the cities. Twenty new towns were erected by the Legislature of 1848.

The county clerks of every county have made abstracts of all the reports made to them by Superintendents, and it appears that every Town Superintendent in the State has made his report in due form, except the Superintendents of Schaghticoke, in Rensselaer county;

Wells, in Hamilton county; Ellenville, in Clinton county; Pavilion, in Genesee county; China, in Wyoming county; the first and second wards of Schenectady, and the Commissioners of Common Schools of the city of Albany. The Town Superintendent of Schaghticoke, and the Commissioners of Common Schools of Albany, have rendered reports to this Department since the middle of December. Such negligence is inexcusable, for all the material for making their reports in due season, is either furnished or can be easily procured, previous to the first day of July, in each year.

The Trustees of school districts are required to make their reports between the first and fifteenth days of January in each year, and if they are not received by the Town Superintendents by the first Tuesday in April, the defaulting districts are not entitled to share in the public money to be apportioned during the succeeding year. The Town Superintendents have from the first Tuesday in April to the first Tuesday in August to make their reports, and deposit them in the office of the county Clerk. The county Clerk is required to prepare an abstract of the reports of the Town Superintendents and transmit it to the Superintendent of Common Schools by the first of October in each year. But very few of the county Clerks transmitted the required abstract in all the month of October, and several delayed till after the first of December. The negligence of others leaves the Superintendent less than one month to prepare his annual report to the Legislature.

The county Clerks explain this delay, by charging neglect upon Town Superintendents, and these in turn cast the blame of their delinquency upon the Trustees.

The Superintendent, in pursuance of No. 47, § 22 of the School Laws, has directed the public money apportioned to the delinquent towns to be withheld, that being the penalty imposed upon the negligent officer. The Supervisor is authorized to sue for the sum thus lost to the town, and its remuneration will depend upon the responsibility of the delinquent.

If the report required by law is not made by the Trustees in due time and form, the penalty is the forfeiture of the share of the public money, which the district would otherwise receive from the Town Superintendent; and the Town Superintendent is not invested with any discretionary power to relieve the district from this penalty. Upon receiving a sufficient excuse from the Trustees, the State Superintendent is empowered to direct the Town Superintendent to apportion to the district its share of the public money, notwithstanding the omission of duty by the Trustees.

If the County Clerks were directed by law to date their abstracts on the first day of October, and to include in them only such towns as had reported previous to that date, subjecting the towns failing to report to an absolute forfeiture of the public money, it is believed that a rigid enforcement of the law for one year, would thereafter secure its prompt observance.

1. *Of the Condition of the Schools.*

Under this head the Superintendent can only give such information as is contained in the reports of the Town Superintendents, abstracts of which are compiled by the County Clerks.

An attempt has been made to obtain from the Town

Superintendents the statistical information, heretofore collected and returned to this Department by the County Superintendents. But the returns are so few, and so imperfect, that they are worthless for the purpose of showing the internal condition of the schools of the State.

The Superintendent regrets that he is unable to communicate any thing to the Legislature concerning the attendance at winter and summer schools; the number, age, and sex of the teachers employed; the studies pursued and the text-books used; the wages and qualifications of teachers; the number of school-houses, and the materials of which they are built, their state of repair, and general fitness for the accommodation of scholars; and briefly, the mass of facts showing the practical working and actual results of our school system.

In the exercise of its power, the Legislature cut off the hands and arms by which all this valuable statistical information had been gathered and arranged in order, and left this Department to devise some other means of obtaining it, or to omit it altogether.

The table hereto annexed, marked "A," is an abstract of the reports of Town Superintendents and Commissioners of Common Schools, exhibiting an account of the public money received and expended by Trustees up to December 31, 1847, and the amount received by Town Superintendents and apportioned during the year ending July 1st, 1848; and the condition of the schools as stated in the annual report of Trustees up to the close of the year 1847.

From this abstract it appears that, on the 31st day of December last, there were in the State 10,621 school districts, the school-houses of which were situated in the town, or ward, reported; 8,070 whole districts, and 5,462 parts of joint districts.

The following is a comparative statement for the last four years:

	1847.	1846.	1845.	1844.
Whole No. of Districts, -----	10,621	11,052	11,008	11,018
No of whole Districts, -----	8,070	8,241	8,327	8,419
Parts of joint Districts, -----	5,462	5,565	5,348	5,311

The number reported the past year less than the previous year, is, whole number of districts, 431, whole districts 171, parts of joint districts 103. The variation from year to year shows either remarkable inaccuracy in the reports, or numerous alterations and divisions of districts.

Returns were received from 8,006 whole districts, and 5,315 parts of districts, showing 54 whole and 147 parts of districts from which no reports were received.

The following is a comparative statement of the number of districts and parts of districts from which reports have been received for the last four years:

	1847.	1846.	1845.	1844.
Whole Districts, -----	8,006	8,103	8,193	8,291
Parts of Districts, -----	5,315	5,400	5,207	5,042

The number of non-reporting districts and parts of districts for each of said years, is as follows:—

	1847.	1846.	1845.	1844.
Whole Districts, -----	54	138	134	128
Parts of Districts, -----	147	165	120	269

The deficiencies for the past year are so few in comparison with the whole number reported, that it may justly be assumed that most of them have occurred through accidental or justifiable causes. The Trustees of whole districts can prepare their reports with very little expense of time or labor.

But the labor of making the report of a joint district, is always double that of a whole district, and when it is considered that many parts of districts consist of but one or two farms, occupied by as many inhabitants, and sometimes having no children to enumerate, and no money to draw, we shall see a sufficient reason for receiving no reports from many parts of districts. A whole district, or a part of a joint district, from which no report is made, forfeits its share in the apportionment of the public money for the succeeding year, and a non-compliance with the law in

several particulars, such as hiring an unqualified teacher for more than one month during the year, or not having a school kept at least four months of the year by a qualified teacher, works a similar forfeiture. Upon giving a sufficient excuse for the omission of duty, or non-compliance with the law, or the regulations of this Department, and upon making a report furnishing the Town Superintendent the data for his apportionment, the State Superintendent is authorized to release the district from the penalty incurred.

The number of unincorporated and private schools reported, is 1,785; in 1847, 1,704; in 1846, 1,730; and in 1845, 1,981; exhibiting an increase of eighty one during the past year, but a decrease of 96 since 1845.

The only counties reported as having none, are Hamilton, Montgomery, New-York and Albany.

The counties of Allegany, Cortland, Franklin, Fulton, Schenectady, Schoharie and Warren, have each less than ten.

Dutchess, Jefferson, Oneida, Otsego, Orange, Rensselaer, Saratoga, Ulster, Washington, Westchester and Kings, have fifty or upwards.

The average attendance at these schools has been a fraction over 16 to each.

But little reliance can be placed upon these reports, as to the number of schools, or scholars.

In Allegany county but three private schools are reported, and yet the number of scholars is stated to be 1,172, a manifest error. None are reported for New York or Albany, while there must be a large number in each.

In Cattaraugus there are reported 12 such schools, and 18 scholars; in Cortland, 8 schools and 88 scholars; in Herkimer, 22 schools and 24 scholars; in Montgomery, no schools and 2 scholars; in Schoharie 8 schools and 38 scholars; in Seneca, 25 schools and 21 scholars; in Warren, 7 schools and 78 scholars; in Yates, 21 schools and 68 scholars. A glance at this statement must convince any one that the number of scholars reported is not a tithe of the number actually in attendance. It must be concluded, therefore, that the number of scholars reported in attendance at private schools is much below the true number. The error of too few schools and too many scholars appears only in Allegany county.

From the obviously wrong estimate in the above named counties, and the clearly low estimate in all the other counties, the fair inference is, that probably 75,000 children are annually taught in private schools. Private schools ought not to receive the encouragement of the State or the support of the community. They are usually sustained by those who have the ability to employ competent teachers, and the Common Schools are weakened by the means applied to their support. Our District Schools may be so elevated, that those who seek superior advantages for their children, can find them only in the Common Schools.

The whole number of children between the ages of 5 and 16, reported on the 31st day of December, 1845, exclusive of the city of New York, was 625,393

The whole number reported on the 31st December, 1846, exclusive of New York, was 624,843

The whole number reported on the 31st day of December, 1847, exclusive of New-York, was 718,123

The whole number of children reported as attending school during some portion of the year 1847, is 775,723

And of these, 17,805 attended school the whole year.

25,028	attended ten and less than twelve months.
50,853	" eight and less than ten "
104,016	" six and less than eight "
154,673	" four and less than six "
194,892	" two and less than four "
198,625	" less than two "

The aggregate of periodical attendance is 745,892, while the whole number reported taught during the year is 775,723, a difference of 29,831. If the returns were accurate, these two aggregates would be equal.

To secure correctness in the reports hereafter, the Trustees will be required to report the name and age of each

child, between 5 and 16 years of age, residing in the district; the name and age of each child attending school during the year, and also the name of the parents or guardians of said children. By comparing these three schedules with the numbers stated in the body of the reports of the Trustees, the Town Superintendents can easily detect and correct any errors.

If the Trustees would furnish the Teachers with the necessary "bound books," and not pay a teacher who failed to keep a correct list of the scholars attending school, verified by his affidavit; and if the Town Superintendents would reject, as incorrect, reports in which the aggregate of the whole attendance, and the periodical attendance did not agree, perfect accuracy would be the result.

The average time during which schools have been kept during the past year, in the State, may be stated at eight months, which is the same as last year.

In Hamilton county the average is five months and in Warren 5 and 7-10.

No other counties average less than six months.

In the Counties of New York and Kings, the average is 11 months; in Richmond and Queens 10, and in Suffolk, Westchester and Rockland 9.

The average of Rensselaer, according to the reports, would be 12 months.

2. Schools for Colored Children.

The Reports of the County Clerks, relating to these schools, are in some respects palpably incorrect; and the information they purport to give, is not, therefore, very reliable in other respects.

In the fifteen counties, where such schools are reported to have been kept, the whole number of children in attendance has been 4,741, an increase of 877 since 1846, and of 2,185 since 1845.

The amount of public money apportioned to such schools was \$16,926 68.

In the County of Chemung, no school is reported, and no public money was apportioned; but \$6,227 60 is reported to have been expended for teachers' wages in such schools, besides the public money.—So without any school or apportionment of public money, it is reported that in Cortland county \$4,228 10, and in Wyoming county \$7,807 19 have been expended in teachers' wages.

The Clerk of Rensselaer county reports, that 106 children have attended the school; that \$6,171 95 public money has been apportioned to them, and that \$10,632 07 has been paid for teachers' wages, besides the public money.

The City Superintendent of Brooklyn reports, that there are two schools for colored children in that city, in one of which 220 scholars have been in attendance, and in the other 80; and that \$700 public money was apportioned to the former, and \$300 to the latter. This statement is true. But the County Clerk of Kings county, leaving Brooklyn out of his report, returns no schools for colored children in the county, and yet states that \$850 public money was apportioned to such schools, and \$8,997 56 paid for teachers' wages, besides the public money.

He is the sum of \$39,239 03 erroneously credited to the schools for colored children. It is impossible to tell in what column this amount of money should be included. Nor can this Department know upon whom to charge the gross carelessness of committing such mistakes, whether the County clerk, or the town or city officers.

In the County of Columbia, the Clerk reports two colored children, to whom have been apportioned \$70 public money, and \$170 has been paid for teachers' wages.

In contrast with the liberality of the school officers in Columbia to the two colored children, is the parsimony to the 50 in Montgomery, the 52 in Greene, and 126 in Erie, to whom no public money has been apportioned, and for whom no money has been expended in teachers' wages.

Such reports are worse than useless, for they are false and elusive. It is plain that, in a large number of counties, no effort has been made to collect accurate statistics relating to schools for colored children, and that such as

have been collected are in many cases deficient and deceptive.

By chap. 258, sec. 3, Laws of 1847, a sum not exceeding \$5,000, was appropriated from the income of the United States Deposit Fund, to the trustees of any incorporated village which should, during one year from the passage of the act, maintain, for three months or more, a school for the exclusive instruction of colored children.

The act required proof that such a school had been kept during at least three months, with an average attendance of not less than ten scholars, before the payment of any money. The whole was not to exceed twelve dollars a month for six months in any village.

In his report of 1846, my predecessor estimated the number of colored children in the State between 5 and 16 years of age at 11,000, which estimate is probably correct.

In his last report, he predicted that, in all the incorporated villages of the State, being more than one hundred and forty, and containing nearly the whole colored population of the State, out of the cities, not twenty would have colored children enough to supply a school with the average attendance required by the act.

From returns at the Comptroller's office, it appears that the trustees of only six incorporated villages have established schools under the act, and the whole amount of money drawn for their support is \$396.

The trustees of Poughkeepsie state that in their village a school has been kept for one year, with an average monthly attendance of twenty.

The trustees of Lansingburgh certify to a school for the term of six months, with an average attendance of thirteen.

In Elmira, the trustees have supported a school for six months, and the lowest number in attendance at any one time, was fourteen.

In Canandaigua, a school has been kept three months, with an average attendance of nineteen, and an attendance during the term of thirty-five scholars.

In Catskill and Watertown, the attendance has averaged over ten, for six months.

These schools are under the special charge of the Comptroller, and a report of the number established under the act, and the amount of money paid for their support, is not required of this Department.

But the act is such an anomaly in legislation that it cannot be passed over in silence. It establishes a system of schools, not connected with the general system of the State nor under the control or supervision of the School Department. The trustees of incorporated villages, and not the regular school officers of the town or district, build or hire the school-house, employ and pay the teacher, and have the oversight of the school. The report made is barely sufficient to authorize the Comptroller to issue his warrant for the money, and the report and warrant are both filed in the Treasurer's Office. No report of the actual average number, or the number of different scholars in attendance is required to be made. The trustee of a School District cannot make mention of such a school in his annual report, either as a district school, or an unincorporated, select, or private school. The Legislature provided no means of ascertaining whether any school had been established by virtue of the act, or what was their character, or condition, except by the amount of money paid by the Comptroller.

The colored population is enumerated in the census of the State, and is a part of the basis of the distribution of the School Fund. Colored children are enumerated by the trustees in their annual reports, they draw public money for the district in which they reside, and are equally entitled with white children to the benefit of it. In the rural districts of the State colored children are generally admitted into the Common Schools.

If unreasonable prejudice exclude colored children from the village schools, the trustees are empowered to establish separate schools for them. The children attending draw the public money to which they are entitled, and the trustees can exempt those parents who are unable to pay a rate-bill, the exemptions becoming a charge upon the whole dis-

trict. A special appropriation for incorporated villages only excites prejudice and parsimony. The trustees of the village will, generally, expend the special appropriation for the colored children, and the public money drawn by them will be shared among the white children of the village.

There seems to be no satisfactory reason for this special appropriation. It cannot be justly urged that negroes are an especial burden to incorporated villages any more than to cities, or rural districts, and that they are, therefore, entitled to an extraordinary allowance of money to educate them.

The Superintendent respectfully recommends the repeal of this anomalous act.

3. Indian Schools.

Schools for the instruction of Indian children are now established upon the St. Regis, the Onondaga, the Cattaraugus and Allegany, and Shinnecock Indian reservations.

The Shinnecock Indians occupy a small promontory, containing about 600 acres, on the northern shore of Long Island, and within the limits of the town of South-Hampton. The whole number of children between the ages of 5 and 16 years is 50, and the number who have attended school some portion of the time, is 40.

The town Superintendent of South-Hampton was required by law to apportion to the Indian School \$80 a year. By chap. 39, Laws of 1848, \$240 was appropriated for this school for the years 1849 and 1850. The sum of \$80 has been expended, and a teacher was employed during six months, at the rate of \$12 per month. I am satisfactorily assured, by the Honorable Edwin Rose, Superintendent of South-Hampton, that since the establishment of the school there has been an obvious improvement in the character and condition of the Indians. They are more orderly, more industrious, more temperate, more tidy in their domestic habits, and more cleanly in their personal appearance, while their lands are better cultivated.

A report hereto appended, from Chester Howe, Esq., Indian agent for the Allegany and Cattaraugus Reservations, states the number of children between the ages of 5 and 16 years, upon the latter, at 332, and the whole number who have attended school during the preceding year at 229; and the whole number between the said ages upon the former, at 180, and the number who have attended school at 110.

A school house has been built upon the Cattaraugus Reservation at a cost of \$600, the Indians contributing \$300, in addition to the same amount appropriated by the State. An appropriation of \$300 has also been expended by the Agent in the erection of a school house upon the Allegany Reservation.

Upon the Cattaraugus Reservation, F. T. Carrier, an accomplished teacher, has been employed, since the first of May, 1848, at the salary of \$300 per annum. Previous to that time Marius B. Pierce, an Indian, was employed two months and paid \$35.

B. F. Hall, an experienced teacher, has also been employed upon the Allegany Reservation, since the first of June, at a salary of \$250 per annum. Forty-four dollars have been expended in books, maps and stationery for the schools.

The Agent adds, that the Indians feel very grateful for the instruction which the State is bestowing, and take an increasing interest in the schools.

Interesting reports have also been received from the respective Agents of the St. Regis and Cattaraugus Reservations, and are appended to this Report.

The Agent of the St. Regis Reservation reports, that a school has been kept nine months during the year, with an average attendance of fifty children. Of the sum of \$300, appropriated for the support of the school, \$156 has been paid to the late teacher, Francis Corr; \$74.79 to the present teacher, A. C. Waterman; \$3.26 for incidental expenses; \$10 in hiring a teacher and visiting the school; leaving \$55.95 unexpended in the hands of the Agent.

A letter from the teacher to Mr. Wheeler, the Agent, dated Nov. 27, 1848, gives some additional particulars, relating to the Indians and the school.

The books used in the school are Sanders' first, second

and third Readers, Webster's Elementary Spelling Book, Mitchell's Primary School Geography, and Colburn's Mental Arithmetic.

The number of children learning to read and reading in the Spelling Book was 24; in the first book of Sanders' series 10; in the second book 6; and in the third 10; in Geography 6; in Mental Arithmetic 10; learning to write 15; learning to count 24.

At the time of writing, the average daily attendance was 35, and the number present that day was 60. The difficulties which the teacher at first encountered, had been overcome, and there was a prospect of more scholars than could be properly cared for without assistance.

A want of school books, maps, apparatus, and writing materials, is severely felt. Still, under all disadvantages, the children are making commendable progress, and seem to acquire knowledge with the same facility as the whites.

The record kept by the clerk of the tribe shows, that there were living on the American side, bordering on Canada, two hundred and fifty children, of which number between eighty and ninety are between the ages of 5 and 16.

As an evidence of the rapidity with which they learn to read and write, the teacher enclosed a list of the names of 46 children, then present in school, written in a fair and legible hand by a lad who took his first lesson in writing in July last.

I earnestly recommend the continuance of the appropriation of \$300 annually to this Reservation.

Upon the Onondaga Reservation a school was kept by a male teacher for five months previous to the first day of May, 1848, and for the ensuing six months by a male teacher with a female assistant. The sum of \$225 was expended for teachers' wages.

The whole number of scholars, who had attended, at the date of the Agent's report, was 61; of whom 40 had been quite regular, and twenty five had been absent but a few days during the year.

The whole number of children on the Reservation, between the ages of 5 and 16, is about 94.

Only about three-fifths of the children belonging to the tribe have attended school at all; and the average daily attendance is less than one-third of the whole. When we consider the extreme poverty and destitution of many, the discord between the Pagan and Christian families, and the novelty of subjecting to school discipline the roving instincts of the Indian, our wonder will be that so many can be persuaded to attend at all.

The branches of study taught are, reading, spelling, writing, orthography, geography, arithmetic, drawing and vocal music. The same want of books, maps, apparatus, and other appliances for teaching, is felt as at the St. Regis school. The lack of needful clothing, and food, also, prevents the attendance of many children.

Specimens of drawing, executed by several of the scholars, highly creditable to them, have been presented to this Department.

The Indian Reservations in Allegany, Erie, Cattaraugus, Onondaga, and other counties, comprise many thousand acres of the finest agricultural land in the State. The question naturally suggests itself, how, then, can they be so miserably poor and destitute?

Agriculture, the mechanic arts, and the habits of civilized life, are all to be learned by them; but the chief cause may be found in the fact, that this land being the common inheritance, from which all derive support, no one feels an individual interest in improving it. The labor of the industrious contributes alike to the support of the idle. The usual incentives to toil and thrif, the hope of personal gain, and the acquisition of exclusive property, are wanting. Is it not obvious that the practical communism, imposed by our laws upon the Indians, obstructs their advance in knowledge and civilization, and deprives them of the chief stimulus to industry and frugality?

The cession and alienation of their land cannot be made without the consent of the State. Cou'd they not be allowed to divide the land equitably among themselves, giving to each an estate of inheritance, but not permitting the land

be disposed of by devise, or by deed, nor to be encumbered by mortgage or judgment? It is now held in common and inalienable, it would then be held in partition, not devisable, not alienable, nor subject to any lien, or incumbrance.

The right of pre-emption belonging to the Holland, the Ogden, and other land companies, if the Indians choose to remain, is worthless, and their removal must be voluntary. The State is not bound to shape its legislation, so as to cause the expulsion or extermination of the Indians. If they desire to occupy the small remnant of their once ample possessions, and are willing to become an agricultural people, the State should permit their possession to be such as is known to be most conducive to the individual and social well-being of mankind.

If the Indian is to be civilized and educated, he must cease to be a savage. We must allow him to partition and cultivate his land, if we would not have all our efforts to educate and enlighten him prove illusive and futile.

By the liberality of a philanthropist of our State, inducements have been held out to the colored people, in the generous grant of land, to improve their physical condition, and elevate their character. The grant was not made as the common property of all who might choose to occupy it, but was wisely parcelled out to individuals in small tracts, thus furnishing the strongest encouragement to individual enterprise and frugality.

Why should not the same policy be adopted in reference to the Indians?

The red man has been despoiled of his inheritance. The advance of civilization has usually done but little for the improvement of his condition. He has generally been found apt to adopt all the vices, while he discarded the virtues, of the white man. It is gratifying to know that the small bounty of the State to the remnant of these tribes has been so well appreciated and so highly improved.

It is the duty of the State to encourage the Indian in agriculture and the mechanic arts, and to elevate his social and moral condition.

4. *Of the Organization of the Common Schools.*

The number of School Districts in the State, according to the last reports, is 10,621. The number reported last year was 11,052. The formation of union districts, and the dissolution of districts, cannot have caused this decrease. Some error has been committed, and yet it seems highly improbable that any Town Superintendent should be ignorant of the number of districts or school-houses in his town.

If the smaller number is the correct one, the territory belonging to each, the amount of taxable property, and the number of resident children of the school age, would be on the average, too small for the support of the schools.

The school money is apportioned to the several counties and towns in proportion to their population. If we divide the amount of public money by the number of the districts, we have \$580,000, (the sum distributed the coming year,) divided by 10,621, giving \$54.00 to each district. Yet there are 25 towns in the State receiving less than that sum, and 79 receiving less than \$100.

The distribution among the districts of the several towns is made in proportion to the number of children in each, between 5 and 16 years of age.

The distribution of the school money according to population gives the cities an advantage over the rural districts. New York has 89,500 children between the ages of 5 and 16, and the portion of school money is \$40,621.53, or 50 cents for each child. Madison county has 10,705 children between 5 and 16 years of age, and has \$4,485.05 school money, or about 42 cents for each child. The difference in favor of New York is eight cents for each child.

Dividing the number of acres of improved land in the State, 11,757,276, by the number of districts, 10,621, and we have 1,107 acres to each district. The aggregate valuation of the whole State in 1847 was \$632,699,993, or \$60,000 to each district; or excluding the valuation of New York, (\$247,152,302,) about \$36,000.

There are many towns in the State with a valuation less than \$100,000, and there are very few towns which do not contain districts with a valuation less than \$5,000. In

some cases a single school district in a town has a greater valuation than all the others combined. Wherever a bank, or an insurance company, or manufacturing establishment, or the depot of a railroad, is located, the district will have a large valuation. If the valuation of all the cities and large villages, banks, insurance companies, manufacturing establishments, railroads and turnpike stock, could be deducted from the aggregate valuation of the State, and the remainder be divided by the number of school districts, the average valuation for each district would probably not exceed \$10,000.

Each district must have its school-house. And as nearly all the property above enumerated is within the cities and villages, it is probable that a tax to build a school house at a cost of \$400 would be a higher rate per cent upon the several residents of at least 8,000 school districts, than the whole taxation for all purposes upon the residents of either of the cities.

The expense of maintaining our present school district organization is, therefore, much more burdensome in the agricultural districts than in the cities and villages. And yet while the cities and villages are consolidating and uniting districts, thus lessening the expense and increasing the means and facilities of supporting schools, the operation of dividing and creating new districts is still going on in the country.

The number of districts in the State is already too large, and alterations should generally be made with the purpose of lessening the number. The absolute power to alter, create, or dissolve districts, conferred upon town superintendents, should be abridged, by requiring the supervisor and town clerk in all cases to be associated with him in the alteration, and formation of districts. The formation of new, and the alteration of old districts, always involve the necessity of taxation, generally lead to a change of site, and more or less interrupt the regular course of education.

One means of checking the increase of districts would be found in the repeal of that section of the law which authorizes a sale of the school houses and other property of the districts from whose territory the new one is formed, and a division of the proceeds of such sale among the several districts entitled thereto, according to the amount of taxable property in each, as appears from the valuation upon the assessment roll of the town. Nor would the undersigned recommend the re-enactment of the former law, by which, in such case, an appraisal of the district property of the old districts was authorized to be made by the town superintendents, and the amount due to the new, directed to be raised by a tax upon the old, district.

It is urged that the inhabitants of the new district are justly entitled to their share of the value of the school-house and other property, built, or purchased in part at their expense. On examination there will be found less of truth than plausibility in this argument.

In the formation of new districts under the present law there is great inequality in taxation.

A new district ought not to be formed unless its inhabitants are willing to incur the expense of its organization.

The necessity of repealing the present law will be apparent from a mere statement of its injurious and unjust operation.

Within the past year instances of the formation of new districts have come to the knowledge of this Department, where territory was taken from four other districts. The town superintendent is required, in such cases, to sell the four school houses, the four libraries, and all the property of the four districts, at public auction. The trustees are not authorized by law to bid in this property, for their several districts, and if they do, a tax must be subsequently voted to repay them the sum apportioned from the proceeds of the sale to the new district. Here the libraries of four districts, established by the liberality of the State, and intended to be everflowing fountains of knowledge for the people, are sold and scattered, and five districts have to commence anew the formation of libraries. Four districts are partially disorganized for a year, or a series of years; and perhaps one, or more, of them may be entirely broken up and destroyed.

The alteration of districts is a prolific source of ill-feeling, and the Department has numerous appeals from the orders of town superintendents setting off persons and territory from one district to another. If the town superintendent were required always to associate with him the Supervisor and town clerk, and to give previous notice to the trustees of districts, of any intended alteration, very few arbitrary or unnecessary alterations would be made.—The Trustees and persons interested ought to be heard before the alterations are made.

II. ESTIMATES AND ACCOUNTS OF EXPENDITURES OF THE SCHOOL MONEYS.

1. Of the Revenue of the School Fund.

The revenue of this fund is increasing from year to year. The statement furnished by the Comptroller last year was as follows:

Balance in the treasury, Sept. 30, 1846, \$104,213 27

Amount received into the treasury during the year ending Sept. 30, 1847, 131,554 21

Amount received for appropriation from income of U. S. Deposit Fund for same period, 165,000 00

Amount paid out of the treasury during the same period, 400,767 48

Balance revenue in treasury Sept. 30, 1847, 124,947 16

The Statement received the present year is as follows:

Balance of Revenue in the treasury Sep. 30, 1847, 124,947 16

Amount received into the treasury during the year ending Sept. 30, 1848, 117,220 25

Amount received for appropriation from the income of the U. S. Deposit Fund, 165,000 00

Amounts paid out of the treasury during the year ending 30th Sept., 1848, 407,167 41

Balance of revenue in the treasury Sept. 30, 1848, 122,265 41

The balance in the treasury is \$2,627 75 less than it was last year at the same time; but the receipts exceed those of the previous year by \$6,329.93; and the expenditure is greater by \$9,081.68.

There is appended to this report the table (marked D,) usually referred to and published in the annual reports transmitted to the Legislature from this department, exhibiting the capital of the Common School Fund, as stated in the annual reports of the Comptroller, from the establishment of the fund in 1805-6 to 1848 inclusive; also the annual interest thereof, the amount annually apportioned for the support of schools, the amount paid on the order of trustees of school districts by commissioners and town superintendents, and also the amount paid by the inhabitants on rate bills.

By a reference to this table it will be seen that the income for the past year has been \$14,324.86 less than the previous year. What has caused this diminution is not known to the undersigned. It may be that the interest upon loans, and bonds for lands, has not been fully paid. Or it may be that the deficiency is partly owing to the large amount of money in the treasury drawing no interest, or only three and a half per cent—or to the exchange of seven per cent or six per cent loans, for five per cent Comptroller's bonds, or five per cent State stocks.

The revenue for the past year has slightly exceeded five per cent on the capital. Last year it was nearly six per cent. A more careful investment of the fund might raise the revenue yearly, to six per cent.

2. Receipts and Expenditures for 1847.

The abstracts of the reports of Town Superintendents and Commissioners of Common Schools, show that the

sums received and expended by them, and the money collected on rate bills were as follows:—

Annual appropriation by the State, 229,000 00

Amount raised by boards of supervisors equal to the sum appropriated by the State, 220,000 00

Raised under special statutes applicable to particular cities and towns, and received from permanent local funds, 199,008 00

Amount paid on rate bills for teachers wages, besides the public moneys, 466,674 44

Appropriated by the State to increase libraries, 55,000 00

Amount raised by Boards of Supervisors, for same object, 29,215 58

Total, 1,189,897 92

The aggregate amount of money appropriated raised by tax, and paid on rate bills in 1845, was, 1,152,605 93

Which deducted from the above shows an increase over 1846, of, 37,291 99

The sum received and expended in the city of New-York, for teachers' wages, for the year ending August, 1848, was, 211,802 54

During the preceding year, 134,797 00

And in 1846, 187,089 44

If from the whole amount paid for teachers' wages in the State, 639,008 00

We deduct the amount paid for that purpose in the city of New-York, 211,802 54

We have the sum of, 427,195 46

Which will represent the amount reported for the rest of the State.

Excluding the city of New-York, the amount required to be raised and expended was, 400,816 42

Hence it would appear that the sum of, 26,278 94 had been expended in 1846, more than was received.

It is impossible to account for this excess, unless we refer it to the mistakes made by the twelve thousand officers by whose hands are gathered and reported the items from which the aggregates are made. It may be, also, that town superintendents neglect sometimes to report the apportionment of money received from local funds, or raised by special statutes.

3. Receipts and Apportionments for 1848.

The whole amount of public money received from all sources by the commissioners of cities and town superintendents, during the year ending July 1,

1848, was, 558,594 84

Apportioned for teachers' wages, 657,331 09

For Libraries, 91,485 92

748,817 01

Balance unapportioned, 109,777 85

Of which unappropriated balance, we find in the city of New York,

83,651 26

Leaving unaccounted for in the rest of the State, 26,126 59

The sums reported received, and not apportioned, in several counties, are as follows:

Albany, 1,433 57

Columbia, 5,001 75

Erie, 1,704 84

Kings, 3,843 72

Monroe, 1,232 51

Saratoga, 2,494 63

15,711 02

Discrepancies of less magnitude appear in nearly all the

counties. The errors have never before been so many, or so great.

The amount unappropriated last year was only \$5,727.14; and this sum was mostly in the cities of Albany, Brooklyn and Hudson.

4. The estimates for the year 1847.

My predecessor, in his annual report, dated December 31, 1847, submitted the following estimate of the expenditures for the year 1847:

The expenditures for the year 1847 in payment of teachers' wages, and for the increase of school district libraries, which are not officially reported to this department until the year 1848, may be stated as follows:

Appropriation of revenue from the Common School Fund, distributed Feb. 1, 1847,	\$110,000 00
Amount distributed from the income of the U. S. Deposite Fund, per act chap. 8 of the Laws of 1847, for the support of common schools,	165,000 00
Amount equal to the above, raised by the boards of supervisors without deduction,	275,000 00
Amount in addition to above raised by voluntary taxes in towns, and under special laws in cities,	279,802 83
Interest on permanent local funds in towns,	21,103 13
Amount equal to the sums paid for teachers' wages on rate bills in the year 1846,	462,840 00

\$1,313,745 96

The sum expended, according to the reports, was \$1,189,897.92.

The Superintendent over-estimated the amount to be raised by voluntary taxes in towns, and under special laws in cities.

5. Estimates for 1848.

The reports of trustees are required to be dated the 31st day of December in each year; therefore, the actual expenditure for 1848 will appear from their reports to be dated December 31, 1848.

Annual appropriation of the revenue arising from the Common School Fund distributed on the 1st day of February, 1848,	\$110,000 00
Amount annually appropriated from the income of the U. S. Deposite Fund and applied to the support of common schools,	165,000 00
Amount annually to be raised by boards of supervisors equal to the two above sums without any deduction,	275,000 00
Estimated amount in addition to the above to be raised by voluntary taxes in towns and under special laws in cities,	190,000 00
Estimated interest on permanent local funds,	21,000 00
Estimated amount to be paid on rate bills,	460,000 00
Increased appropriation from the revenue of the Common School Fund,	10,000 00

Total,

\$1,231,000 00

6. Estimates for 1849.

Annual appropriation from the revenue of the Common School Fund to be distributed on the first day of February, 1849,	\$120,000 00
Amount annually appropriated from the income of the U. S. Deposite Fund and applied to the support of Common Schools,	165,000 00
Amount annually to be raised by the boards of supervisors equal to the two above sums without deduction,	285,000 00
Estimated amount in addition to the above to be raised in towns by voluntary tax, and under special laws in cities, and from local funds,	200,000 00
Estimated amount to be paid on rate bills,	460,000 00

Total,

\$1,230,000 00

Of the capital of the Common School Fund, and the improvement and management thereof.

1. Of the capital.

The superintendent is not vested with any power to advise or control the management or investment of the Common School Fund. The fund is committed to the exclusive custody of the Comptroller. A detailed statement, therefore, cannot be made by this department.

On the 30th day of September, 1848, the productive capital of the Common School Fund of the State, consisted of the following items and sums of money:

Amount of bonds for lands sold,	\$744,854 97
Bonds for loans,	236,901 74
Loan of 1792,	97,363 14
Loan of 1808,	198,772 03
Loan of 1840,	8,200 00
State stock,	280,500 96
Bank stock,	50,000 00
Comptroller's bonds,	451,645 42
Money in the treasury,	143,236 81

\$2,211,475 14

Deduct capital Sept. 30, 1847,

2,170,514 47

Increase during the year ending Sept. 30 1848,

\$40,960 67

About 301,759 acres of land are set apart as a portion of the Common School Fund, but are not taken into account in the above statement of the items constituting the fund.

By article nine of the constitution, \$25,000 are required to be annually transferred from the income of the United States Deposite Fund to the capital of the Common School Fund. A reference to a statement hereto annexed, marked B, will show that the only sum of \$17,041 42 has been transferred from said income to the said capital for the year 1848. To make up the deficiency, bonds belonging to the United States Deposite Fund, have been transferred to the School Fund. The explanation of this exchange of bonds, instead of transfer of income, may, perhaps, be found in the fact that the Legislatures of 1847 and 1848, appropriated from the income of the United States Deposite Fund, for both the years 1848 and 1849, sums which, in the aggregate, exceed that income. The necessity of a constitutional provision, to secure this annual transfer, is very apparent from an examination of the appropriations from the Deposite Fund for 1848 and 1849. See statement hereto annexed, marked C.

The residue of the above increase of capital, \$15,960 67, is detailed in statement hereto annexed marked B.

It is presumed that the Legislature will continue the annual appropriation of \$165,000, from the revenue of the United States Deposite Fund, for the support of common schools, and after transferring \$25,000 of that revenue yearly to the capital of the Common School Fund, care will be taken hereafter not to appropriate more than the residue. This fund is a trust, and the State is responsible for its good management, as well as its security. The capital should be kept whole. If losses occur by unsafe investments, they must be made good out of the annual income of other loans.

The productive capital of the school fund, provided the Legislature shall continue its annual appropriation of \$165,000 for the support of schools may be stated as follows:

Productive capital of the school fund, as above,

\$2,211,475 14

Amount from the United States Deposit Fund, which would produce the sum of \$165,000 annually, appropriated for the support of Common Schools, at six per cent interest,

2,750,000 06

To this may be added a sum that will produce annually, \$25,000, which is reserved by the constitution, to be added to the capital of the school fund,

416,666 67

Making a total of,

\$5,378,141 81

The annual interest on this sum at six per cent is \$322,688.50.

2. Of the Improvement and Management of the Fund.

On the 30th day of September 1847, one of the items going to make up the capital of the Common School Fund, was "Comptroller's Bond," \$51,645.49. At the same date in 1848, this item has increased to \$451,645.49. The item of State Stocks last year was \$115,500.96 and this year it is \$280,500.96. The direct liability of the State to the School Fund is therefore \$732,146.45, or nearly one-third of the whole fund. If to this sum be added the money in the State Treasury, the liability of the State will be \$875,383.26, or very nearly two-fifths of the fund. As bonds for lands and bonds for loans are annually paid, the money is received into the Treasury, and if the process of absorption goes on in future, as rapidly as it has for a few years past, the whole capital of the School Fund will pass into the Treasury, be used in payment of the debts of the general fund, and converted into State Stock and Comptroller's bonds. Thus State necessities bid fair to make the State the only debtor to the Common School Fund.

By the Ninth article of the constitution, the faith of the State is pledged to the preservation inviolate of the capital of the Common School Fund. But the spirit of this article will not be observed by merely maintaining the integrity of the capital. The great object of the fund may be partially lost or totally defeated by its improper management, or by its unproductive investment. It is the income which is to be distributed throughout the State, and the practical value of the fund depends entirely upon the amount of the income.

Money paid into the Treasury on account of the fund is deposited in banks, at an interest of three and a half per cent. The State is benefitted by the money, whether receiving interest on it as a deposit, or using it for the ordinary purposes of the government. There is no law requiring the payment of interest on this money to the School Fund, but I understand it has been the practice of the Comptroller to credit the School Fund with the interest received by the State from the Deposit Banks. The fund is a loser by this operation.

If there should be constantly in the Treasury the sum of \$100,000, the income to the fund would be only \$3,500 per annum, instead of \$6,000 if invested in bonds and mortgages. The undersigned, therefore, respectfully recommends to the Legislature the enactment of a law directing the Comptroller to credit the Common School Fund with interest at six per cent upon all money belonging to that fund, remaining in the Treasury. When bonds, loans, or stocks belonging to the school fund, and drawing an interest of five, six or seven per cent. are paid, and the money received into the Treasury, the same should be immediately reloaned on equally good securities, or the State should allow interest on the sums thus withheld from investment.

If the Comptroller uses the money as it comes into the Treasury, seems to be only just, that his bonds should bear an interest equal to that of the fund from which the money was derived. It is quite material to the school fund whether his bonds bear an interest of five, six or seven per cent. The State should not, like a shrewd and unconscionable guardian, turn a trust estate to its own profit, by retaining uninvested in the Treasury, to be used in defraying the current expenses of the government, or to be loaned for its convenience at three and a half per cent to banks, as the basis of discounts, the common inheritance of the 800,000 children, who are more or less dependant upon the income of that estate for their intellectual sustenance.

By allowing the Comptroller to exchange six and seven per cent investments of the Common School Fund, for five per cent stock of the Canal debt, the School Fund is robbed for the benefit of the Canal Fund. The resources of intellectual improvement are diminished to add to the physical prosperity of the State. The business of men is sacrificed to the education of youth.

The undersigned is well assured that the constitutional provision will preserve the capital inviolate but the income may be materially affected by the mode of investment.

Fifty thousand dollars of the Fund consists of stock of the Manhattan Company. For several years no dividend has been received from that Institution.

3. School District Libraries.

The number of volumes in the School District libraries was in 1844, 1,145,250; in 1845, 1,203,139; in 1846, 1,310,986; and in 1847, 1,338,848.

In the counties of Allegany, Cayuga, Chenango, Clinton, Columbia, Greene, Hamilton, Monroe, Montgomery, New York, Orange, Orleans, Oswego, Putnam, Wayne, and Wyoming, the number of volumes reported is less than last year. Yet the library money has been apportioned to them all.

In the county of Hamilton 11,175 volumes were reported last year, and only 971 this year. Such a difference must be the result of gross negligence. The number reported this year is probably, nearly correct. The whole diminution in the above counties is about 25,000 volumes. Some libraries have doubtless been sold under the law directing their sale upon the formation of new districts. The formation of every new district would require the sale of at least two libraries. But this does not satisfactorily account for the loss of so many volumes.

The aggregate increase in the State over last year is 27,862. The aggregate decrease in several counties is 25,000, thus showing that 52,862 new books must have been added to the libraries during the past year.

A clause in chap. 8, laws of 1847, was construed by my predecessor to authorise a district by a majority of votes at a special meeting, to apply the library money to the payment of teacher's wages. From the date of that act up to the 5th day of January 1848, when chap 480, laws of 1847, took effect, many districts exercised the privilege granted by chap. 8, and voted to expend their library money for teacher's wages. But chap. 480, repealed the clause in chap. 8, and the following section was adopted, specifying the amount and mode of expending library money.

§ 135. The sum of fifty-five thousand dollars, together with an equal sum to be raised in the towns, and directed to be distributed to the several school districts of this State, by the fourth section of chapter two hundred and thirty-seven, of the laws of eighteen hundred and thirty-eight, shall continue to be applied to the purchase of books for a district library, until otherwise directed; but whenever the number of volumes in the district library of any district, numbering over fifty children between the ages of five and sixteen years, shall exceed one hundred and twenty-five; or of any district numbering fifty children or less, between the said ages, shall exceed one hundred volumes, the inhabitants of the district qualified to vote therein, may, at a special or annual meeting duly notified for that purpose, by a majority of votes, appropriate the whole, or any part of the library money belonging to the district for the current year, to the purchase of maps, globes, black boards, or other scientific apparatus for the use of the school. And in every district having the required number of volumes in the district library, and the maps, globes, black boards, and other apparatus aforesaid, the said moneys, with the approbation of the state superintendent, may be applied to the payment of teacher's wages.

About four hundred applications have been made to the superintendent for his approbation as provided in the above section. He has withheld it in all cases, believing that every volume of a well-selected library is a perpetual teacher to all who will go to it for instruction. A great variety of excuses have been given for importunate requests. In one district the school house has been burnt, in another a great many poor children have to be exempted; in one, the books are never read, except by a few, in another, the library is already inconveniently large; in one, the living teacher is better than a book, in another no books are needed because the people do not appreciate them; in one, the district has voted it, and again the trustees desire it; in all, the taxes are oppressive, and the money, in each particular case, is more needed, and will be more useful, than the books.

The undersigned believes that the district libraries can-

not be too large, and that the people are in no danger of learning too much.

Selections for the district libraries, are made from the whole range of literature and science, with the exception of controversial books, political or religious; history, biography, poetry, philosophy, mental, moral and natural, fiction; indeed every department of human knowledge contributes its share to the district school library. The object of this great charity was not merely to furnish books for children, but to establish in all the school districts, a miscellaneous library suited to the tastes and characters of every age. By means of this diffusive benevolence, the light of knowledge penetrates every portion of the State, and the sons of our farmers, merchants, mechanics and laborers, have daily access to many well selected books, of which, but for this sagacious policy of our State, a majority of them would have never heard. If knowledge is power, who can calculate the energy imparted to the people of this State by the district school, and the district library?

4. Teacher's Institutes.

By chap. 361, laws of 1847, sixty dollars were appropriated out of the income of the United States Deposit Fund, to defray the expenses of holding teachers' institutes in each of the several counties in the State, which should comply with the provisions of the act.

Upon receiving a petition signed by a majority of the town superintendents of any county, the clerk of said county is required to appoint three town superintendents an advisory committee, whose duty it is to give notice of a time and place where teachers and others may meet to organise an Institute. Upon the question of forming an Institute, teachers only can vote, and if they decide in the affirmative the organization is completed under the advice and direction of the advisory committee. An accurate account in items of the expenses of the Institute, duly verified, must be presented to the county treasurer, who, after being satisfied that not less than fifty, or in counties having a population under thirty thousand, not less than thirty, teachers, and individuals intending to become teachers of common schools, within one year, shall have been in regular attendance on the instructions and lectures of the Institute in the county, during at least ten working days, will credit and allow said account and pay over to the committee not exceeding sixty dollars in any one year, to be distributed by said committee in paying the expenses of said.

By section 5 of said act the said advisory committee is required to transmit to the state superintendent a catalogue of the names of all persons who shall have attended such Institute, with such other statistical information, and within such time as may be prescribed by the state superintendent.

In pursuance of the last named section, the superintendent required such advisory committee to transmit to the department, on or before the 1st day of December in each year,

1st. A catalogue of the names of all the persons who shall have attended such Institute, their place of residence, and post office address.

2d. The names of the officers of the Institute and the lecturers.

3d. A statement of the subjects upon which lectures have been delivered.

4th. A statement of the classes into which the Institute was divided, the studies pursued, and the text books used.

5th. The time the Institute was organised, the length of such term held, and the time and place fixed for holding future terms.

6th. A copy of the accounts rendered to the county treasurer.

7th. A report upon the condition of the schools, and the general state of public instruction, in the county.

8th. Any other information that the committee may deem interesting or useful, or calculated to promote the cause of common school education.

Reports have been received from sixteen Institutes in pursuance of such instructions, held in the counties of Cattaraugus, Chautauque, Chenango, Jefferson, Livingston,

Montgomery, Oneida, Onondaga, Orleans, Oswego, Oneida, Rensselaer, Schenectady, Seneca, Tioga and Washington. If Institutes have been held in any other counties, the advisory committees have made no reports to this department.

The number of teachers and persons intending to become such in attendance upon the lectures and recitations of the several Institutes, and the expenses of holding them are as follows:—

	No. of pupils.	Expense.
Cattaraugus, -----	96	\$99 07
Chautauque, -----	66	69 00
Chenango, -----	100	84 60
Jefferson, -----	95	60 00
Livingston, -----	82	85 00
Montgomery, -----	41	60 00
Oneida, -----	67	81 84
Onondaga, -----	190	42 00
Orleans, -----	62	60 00
Oswego, -----	79	63 50
Otsego, -----	66	75 00
Rensselaer, -----	72	60 00
Schenectady, -----	51	52 75
Seneca, -----	51	60 00
Tioga, -----	84	60 00
Washington, -----	94	105 00

1096 \$1,117 76

It will be seen that the expenses have, in many instances been graduated to the State appropriation. The items of the accounts rendered to the county Treasurers are mostly for wood, lights, printing, and services of lecturers and teachers.

The sum appropriated by the Legislature is barely sufficient to defray the most economical expenses of holding an Institute. If a larger sum were appropriated, longer sessions could be held, able lecturers, and teachers could be employed and reasonably paid for their services.

It is not proposed to make the Institute a permanent school. Not more than two sessions could be conveniently held in a year, each continued a fortnight. But if a permanent organization can be effected in every county, if the teachers, and persons intending to become teachers, the town superintendents, and other school officers, can be assembled semi-annually, to hear lectures upon educational topics, to consult with and advise each other, to purpose and discuss modes of teaching, to form acquaintance, and cultivate good feeling, and if a correspondence with this department can be kept up, the Institute may be productive of incalculable good to teachers, to pupils, and the community at large.

A State Normal School has been established, especially designed for the education of the common school teacher, a wiser direction and more beneficent effect may be given to the labors of the school, if the State will grant its aid to the teachers, after they have left the Normal School, by building up Institutes in every county, wherein they may renew their acquaintance, and rehearse their normal studies, arrange plans and unite their efforts to promote the great cause in which they are engaged.

The school money is but the stunted reward of the teacher's labors. If he is the recipient of the bounty of the State, he is also the almoner of its blessings.

I would recommend a considerable increase in the appropriation to Teachers' Institutes. Two or three counties with a population each less than thirty thousand might be permitted to form a joint institute and thus unite their means.

The appropriation might be paid by the Comptroller, upon the receipt of a certificate from the Superintendent of Common Schools, that the institute had been organized according to law, had held its annual session, and complied with the statute, and the regulations of this Department.

If the plan of district or county superintendents, recommended in another part of this report, shall be adopted, the officers so elected might be the managers of the institutes, employing the lecturers, disbursing the money, and making the annual report.

It is believed that institutes thus formed and brought into correspondence with this Department, may become its powerful auxiliaries, and greatly enhance the value and efficiency of the Common School system.

3. *Of Supervision and Inspection.*

By chap. 358, Laws of 1847, the office of County Superintendent of Common Schools was abolished.

From the creation of this office much good was anticipated, and, in the opinion of the undersigned, much was realized. Various reasons were assigned for the repeal of the act. The small tax which it imposed upon the several counties was, doubtless, among the most imperative, and it cannot be denied that the selection in some counties, of incompetent and unfaithful superintendents, brought the law into disfavor.

The abolition of the office of County Superintendent has increased the labor and correspondence of this Department four-fold. Formerly appeals were brought from the town to the County Superintendent, and the decisions of the latter were generally acquiesced in.

Appeals are now brought to this Department from the orders of town superintendents in the formation and alteration of school districts; from the acts of Trustees, or their refusal to act; from the proceedings of district meetings; and upon every question that can arise under the school laws.

All the town superintendents and the trustees of all the school districts in the State, come directly to this Department for advice and instruction. More letters have been received and answered the past year than for several years previous.

Between April 17th, 1843, when County Superintendents are authorized to decide appeals, and Nov. 13th, 1847, when the office was abolished, the number of appeals from their decisions, brought to this Department, was 192.—Since Nov. 13th, 1847, the number of appeals brought directly to this Department has been 140. All appeals from the orders of Town Superintendents forming or altering districts, would be much more intelligently and satisfactorily decided by an officer who could visit the locality, and judge of the necessity or expediency of the order appealed from by personal observation.

County Clerks do not prepare the abstracts of town superintendents' reports with the same care and accuracy formerly bestowed upon them by County Superintendents. From the multiplicity and pressing demands of other duties, the work must be committed to the hands of mere copyists, unacquainted with the school laws. Even few lawyers are familiar with the school laws and forms. County Clerks therefore, or their deputies, copy the errors of town superintendents, without knowing them to be errors, or if detected, without the means or the disposition to correct them. They cannot leave their offices to call upon the town superintendents, and will not take the trouble to write to them, except in obedience to the strict letter of the law. The duty was imposed upon them because it could not well be charged upon any other officer.

In the aggregate the saving of expense to the State by the abolition of the office has been incalculable. The increased expense to the Secretary's Office in the Department of Common Schools, cannot be less than \$1,500 a year. The County Clerks will charge for making the abstracts, probably not less than \$30 each, which is \$1,740 for the State. The increased pay of Town Superintendents for additional services in the supervision and inspection of schools, and the examination of teachers, must be at least \$20 for each, or \$17,460 for the State. These three items make the sum of \$20,700. The whole sum annually paid to County Superintendents was about \$26,000. Nothing was gained by abolishing the office on the score of economy, if the services of those officers were of any value, because by the above showing, the money saved is only \$5,300, which should be further diminished by the subtraction of \$500, now annually paid to the County Superintendent of New York.

The compensation of the Town Superintendents varies from \$30 to \$100 a year. If the average sum paid them is \$75, then the expense for the State will be \$65,475.

The act abolishing the office of County Superintendent was, in the judgment of the undersigned, a retrogressive movement. The act, chap. 330, Laws of 1839, providing for the appointment of County Visitors, was passed with a direct purpose to examine into the condition of the schools, and to ascertain and suggest the best means of improving them. It was from an examination of their reports, and after mature deliberation, that the office of County Superintendent was created.

From reports made to the Superintendent by Visitors in 1841, a few extracts are made, showing the opinions of men who gave voluntarily, a considerable portion of their time to a visitation of the Common Schools, with a view of ascertaining their real condition, and suggesting measures to raise them to a higher standard of excellence.

In his preface to the several reports, the Superintendent says:—"With few exceptions the Visitors concur in recommending the appointment of County Superintendents, as among the most essential of the improvements suggested."

Messrs. James Wadsworth, Wm. C. Dwight and George W. Patterson, Visitors of Livingston county say:—"The committee, after another year's examination of the schools, are entirely convinced of the necessity of a county inspector or superintendent."

Mr. John F. Seymour, inspector of Oneida county says:—"Would not a board of examiners, consisting of three, or five men, who should be in every way competent, and before whom all teachers should be examined, improve our schools, and put an end to the employment of teachers utterly incompetent, and whose only recommendation is their cheapness?"

Mr. J. L. Mayo, of Onondaga county says:—"We have great confidence in the labors of an agent or supervisor appointed in each county, whose whole time and talents shall be employed in visiting schools, correcting errors in teaching, or discipline, reforming abuses where such exist, forming town and county associations, reading reports of his own observations, giving lectures, &c., and thus by keeping the ball in constant motion, to awaken and keep alive an excitement on the subject, which would not otherwise exist."

Mr. Saxon Smith of Putnam county says:—"I am fully in the belief that our present mode of electing inspectors at our town meetings, is a bad one, and should be abolished; and that the duties thereof shou'd wholly devolve on the Commissioners of Common Schools, or a County Superintendent appointed by the State Superintendent."

Jacob Hardenburgh and Edmund Ellinge, of Ulster county say:—"We concur in opinion of Visitors, in reports of last year, as to abolishing the office of Inspectors of Common Schools, and the appointment of a county inspector, whose business it shall be to inspect towns, and have a general supervision over schools, and to deliver lectures to awaken public attention to the subject of education, with such a compensation for his services as will warrant his undivided attention thereto, being satisfied that the present gratuitous system of visitation will prove inefficient; and that the present system of inspecting schools and teachers by town officers is inadequate."

Messrs. William N. Clark, James C. Brown, and Francis Dwight of Ontario county say:—"The people, conscious that the prevailing defects of their schools are owing to the inefficiency and incompetency of their inspectors, look to the appointment of local superintendents, as the great measure of reform. Not, that we are so quixotic as to suppose, that this alone will prove a specific for all the disorders of the system, but we do believe it to be essential to the very commencement of general improvement."

My predecessors in office, without exception, approved the appointment of County Superintendents, considered it an improvement of the Common School system, and disapproved of the abolition of the office.

In his annual report, dated Jan. 12, 1843, Col. Young, referring to the expense of the system, remarks!—"He who now occupies the station of State Superintendent, derived his first impressions of this law from such an association of ideas; and in entering upon the duties of the office felt a decided predisposition to exercise whatever in-

duces he might possess, to save the expence by an abolition of the office."

He further says:—"The system of deputy superintendents can be made to supersede official duty heretofore badly performed, and taxation heretofore imposed with little resulting utility, to an amount greatly exceeding the expense of the system."

In respect to the competency of the much maligned County Superintendents to discharge their duties, the lack of which was urged as a strong reason for abolishing the office, Col. Young, whose prejudices were forced on examination to yield to his judgment, speaking of a convention of those officers, held at Utica, in May, 1842, says:—"It is no unmeaning compliment to allege that for the purpose of illustrating and improving the important principles of elementary instruction, no body of men, of equal information and devotedness, has ever before assembled in this State."

If those officers were not in every instance competent and faithful to their trust, the fault was in the appointing power. If a wise selection was not always made, does that furnish a sound reason for destroying the office? It may safely be said that no other office in the State would bear so severe a test.

It is believed that the friends of the Common School system in the State, very generally desired the continuance of the office. It was, however, abolished, without petitions from any considerable number of citizens, and without even proposing a substitute.

There is now no intermediate officer between this Department and the town officers. Such an office is needed as the medium of communication between this Department and the nine hundred town superintendents, and eleven thousand school districts. The territory is too large; its subdivisions too many; its relations too diverse; the local officers too numerous; and the interval between the Department and them too wide, to permit that actual and minute supervision which is necessary to an efficient administration of the School laws.

The undersigned would, therefore, recommend to the Legislature two measures, either of which, in his opinion, will be approved by the friends of the Common School system, and will supply a want daily felt in this Department.

1st. A repeal of chap 358, Laws of 1847, restoring to the office of County Superintendent, and making it elective by the people.

2d. The election of a Superintendent in every Assembly district, except in the city of New York, and the cities which now have, or shall hereafter have a City Superintendent, or Board of Education, to manage their school affairs.

If the latter measure should be adopted, I would recommend that the salary of such officer be fixed at not less than \$200 per year, in each Assembly district, composed of towns, and that the same be a county charge; that the salary of City Superintendents be fixed by the civil authorities thereof, as shall be provided in their several charters or city laws and ordinances; and that not less than \$200 of such salary be a county charge. Among the powers and duties of such District Superintendents should be the following:—To make the abstract of the reports of the Town Superintendents in his district, at the same time and in the same manner now required of the County Clerks; to recommend persons from his district as pupils in State Normal School; to recommend each year two teachers in his district as worthy to receive a State certificate; to visit each school in his district at least twice a year, once in the summer and once in the winter, to make such report of his visitation as may be required by the State Superintendent; to hear and determine all controversies arising in his district under the school laws, an appeal being allowed from his decision to this Department. The Superintendent makes these suggestions with diffidence, and only from a sense of their necessity.

4. *The Present System.*

The mode of supporting a school under the present system is as follows:—

The Trustees employ a qualified teacher for stipulated

wages. At the close of his term, they give him an order upon the town superintendent for such portion of the public money, as may have been voted by the district for the term, or in case no vote has been taken, for such portion as they think proper. But in no case can the Trustees legally draw for more money than is due the teacher at the date of the order. If the public money is not sufficient to pay the teacher's wages, the trustees proceed to make out a rate-bill for the residue, charging each parent or guardian, according to the number of days' attendance of his children. Under the present law, the trustees have power to exempt indigent persons, and the amount exempted is a charge upon the district, and may be immediately collected by tax, or added to any tax thereafter levied. After the rate-bill is completed, thirty days' notice of its completion is given by the trustees, one of whom must be in attendance, on a day and place appointed in said notice, once a week for two successive weeks, to receive payment; and during the whole of the said thirty days any person may pay to either of the trustees, or to the teacher, the sum charged to him upon the rate-bill. At the expiration of the thirty days, if all the persons named in the rate-bill, have not voluntarily paid, the trustees put it, with their warrant, into the hands of the district collector, who has the same authority to collect it by levy and sale of goods and chattels, as a town collector. The collector is also authorized to collect fees, not only upon the money paid to him, but upon that paid voluntarily to the trustees and teacher, and he is allowed thirty days to make his return to the trustees.

A more troublesome or vexatious system could not well be devised.

A teacher having performed his contract, is yet obliged, unless the trustees advance the money, to wait thirty, or sixty days for his pay. The first thirty days' delay under the notice is no advantage to any one. The time of the trustees is spent uselessly.

Nothing is gained by payment to the trustees. Is there any other instance upon the Statute book in which legislation compels a man to wait sixty days for his wages after he has completed his work? In the absence of any contract, the wages of the laborer are due and payable, when his work is done. In the case of the teacher, the payment of his wages is postponed for sixty days after his school is closed, for payment from trustees cannot be enforced, until the time fixed by law for collection has expired.

A slight error in the apportionment of the rates, or in the legal forms of making it, subjects the trustees to a suit by any one of whom a few cents may have been illegally collected; and, unfortunately, there are not wanting in every town persons ready to avail themselves of such errors.

The trustees can, if they choose, make out a tax for the amount of exemptions, and the collector is bound to collect it for the trifling fees, upon a five, or ten dollar tax-list.

A law has been passed, authorizing courts to deny costs to a plaintiff in a suit against trustees, and also authorizing heirs of supervisors to order a tax to be assessed upon a district to refund costs and expenses incurred in suits by, or against them, on account of the discharge of their official duties.—But the law allows them nothing for their responsibility and labor, either in the discharge of their duties, or in the prosecution, or defence of suits.

Now, a free school system may be devised that shall relieve trustees from the duty of making out rate-bills, or tax-lists, in any case, and from all litigation arising therefrom, and which shall secure to the teacher his pay when his work is done.

It may be made applicable only to the towns, requiring the cities, however, to make their schools free, but leaving them to adopt such an organization as shall be suited to their peculiar wants.

Teachers complain of the rate-bill system, not only because it improperly withholds their wages, but because the trustees find great difficulty in exercising with fidelity, and at the same time satisfactorily, the power of exemption.—While the cupidity of the tax-payer is excited, the pride of men of moderate means is aroused, and their sense of inde-

pendence revolts at being certified and put upon the record as indigent persons.

The rate bill system requires every person to pay in proportion to the attendance of his children. How strong then is the inducement of many parents, to wink at absence, and truancy, and how little are they inclined to second by parental authority the efforts of the teacher to enforce punctuality and regularity of attendance. The fact that the number of children attending school less than four months, uniformly exceeds the number attending a longer time, furnishes strong evidence for believing that the rate bill system is the principal cause of the irregular attendance of scholars.

Letters have been addressed to the Superintendent from various parts of the State, urging him to recommend to the Legislature the free school system, and assuring him that the people are ready to sustain the Legislature.

5. Free Schools.

A free school is one whose doors are open to all who choose to enter.

In Connecticut, Vermont, Massachusetts, Rhode Island, New Hampshire, and Maine, the common schools are nearly free, and in several of the cities and large villages of those States, as well as in some of our own, they are entirely so.

In Indiana the question has been recently submitted to the people, and a large majority decided in favor of free schools. Wisconsin has made early and ample provision for a system of free schools. Even in South Carolina the schools are *free to the free*. I believe it is true, that in every State, county, town, or village, where the question has been submitted to the decision of the people, they have been found in favor of the free system.

The system of free schools has been urged upon the attention of successive Legislatures, but has been met by the assertion, and defeated on the alleged ground, that the people were not prepared for it.—This may be true, but I have come to a different conclusion, from the fact that in the eleven localities in this State, where the matter has been submitted to the people, it has, in every case, met their approval.

The places in which the free schools are maintained, with the population of each in 1845, are as follows:

New York	371,223
Buffalo	29,773
Brooklyn	59,566
Syracuse	10,600
Rochester	25,265
Lansingburgh	4,000
Williamsburgh	11,338
Poughkeepsie	9,000
Flushing	3,918
Newtown	5,521
Bushwick	1,857
531,453	

The whole population of the State in 1845, was 2,604,495.

It appears, therefore, that free schools are established in a portion of the State containing one-fifth of the entire population.

If to the above we add the following places in which the schools are substantially free, although not by force of law, the above proportion will be increased to one-fourth:

Albany	41,139
Troy	21,709
Utica	12,190

75,038

Sustained by the foregoing statistics, it may be safe to presume, that so large a portion of the State having adopted the free system, and being satisfied with its operation, a majority of the other section of the State is prepared to approve it also.

When it is said that the people are not prepared for free schools, it is only another form of expressing a belief that they are opposed to taxation for their support. There is

doubtless a respectable number of persons in every community, averse to taxation, not only for the support of schools, but for all the purposes of government. Still the Superintendent has an abiding confidence, that a majority of the legal voters, and a majority of the tax-payers in this State, would vote to support the schools by taxation.

The annual reports of this Department furnish reasons for this belief.

The money raised by the Supervisors, equal to the amount appropriated from the funds of the State, is cheerfully voted and paid. In addition to this, many towns, at their annual meetings, vote to raise another sum, equal to that required to be raised by general laws. The aggregate sum thus voted in the State every year is very large:

It was in 1847,.....	\$199,000 08
do 1846,.....	155,974 20
do 1845,.....	195,051 15
do 1844,.....	191,473 93
do 1843,.....	179,800 52

These sums were raised by the inhabitants of towns, voluntarily, and under special laws inserted in the charters of cities and villages. It would appear from this that the people are not opposed to taxation for free schools.

The probable taxation, and the rate per cent necessary to support a free school system, can be ascertained, by showing the actual expense, in the cities and towns where it is established.

In the following table the first column shows the valuation of the city or town in 1847; the second, the whole amount of school money from all sources; the third, the amount of public money apportioned to the city, or town; the fourth, the amount actually raised in the city, or town, besides the public money; and the fifth, the rate of tax upon \$100, of valuation:—

Valuation.	School money.	Public money.	Amount of tax.	Rate on \$100 val.
Albany,.....	11,387,376	13,044 50	4,231 50	8,713 00 0 07 5
Brooklyn,.....	29,565,189	26,039 50	6,246 35	19,733 15 0 06 7
Buffalo,.....	8,497,162	21,142 60	3,142 60	18,000 00 0 21 2
Bushwick,.....	775,160	1,083 30	196 00	1,033 30 0 14 6
Flushing,.....	2,398,125	1,563 03	412 60	1,179 43 0 05 0
Hudson,.....	1,150,550	4,084 27	597 11	3,447 16 0 30 0
Newtown,.....	1,980,475	3,733 77	587 75	2,763 54 0 15 0
New York,.....	247,152,783	25,451 80	39,183 58	256,270 22 0 10 4
Potkeepsie,.....	3,499,191	5,170 66	1,211 58	4,225 09 0 12 0
Rochester,.....	4,631,651	11,808 47	2,666 83	9,111 68 19 8
Utica,.....	3,184,766	10,278 16	1,280 70	8,991 46 0 25 8
Williamsburgh,.....	3,125,162	8,649 37	420 31	7,413 77 0 23 8

The amount paid on rate bills in Utica \$509.45, and in Albany, \$67, is included in the school money for those places. In the other places the schools are free—or substantially so, very little being collected on rate bills in Troy, Lansingburgh, Poughkeepsie, Hudson and Flushing.

With this table, any one can tell what would be his tax for the support of schools in either of the places named.

If he is a resident of New York, and is assessed \$4000, he pays a tax of \$4 16. If assessed for \$100,000 he pays \$104. The sum raised in New York for school purposes appears to be very large, but when it is apportioned upon the tax-payers according to their property, it is a very light tax. And it would be light, even if it were doubled. If the common schools were what they should be, and a system of high schools were grafted upon them, every child could be educated, the poor gratuitously, and the rich at a less expense than at private schools.

In the city of Brooklyn the free schools are supported at the low rate of six dollars tax upon \$10,000 of valuation.

In the cities the support of schools by a general tax, is but the association of all the citizens to effect an object in which all are mutually interested, and which can be better done by a combination of the means of all.

In order to show what would be the operation of the free school system in a town wholly agricultural, we will take the town of Duaneburgh, in Schenectady county, a town in which there is no considerable village, and which will serve as a fair example for the average of the agricultural towns.

The valuation of Duaneburgh, in 1847, was \$452,165. The amount of school money raised in the town was

\$346.94. The rate of taxation therefore was a little more than seven cents and a half upon one hundred dollars of valuation. The amount received from the State was \$346.94, the amount paid on rate bills was \$987.16, and the amount raised in the town by rate bills and tax \$13,646.31, and the amount of exemptions was \$30.31; the whole expense of the schools during the year therefore was \$1,711.25. To raise this last sum by tax would require a rate of thirty cents upon a hundred dollars.

If then, each district were required to raise a tax equal to the amount apportioned to it by the town superintendent, the sum would be \$1,387.76 for the town of Duaneburgh, and sufficient to support a school during eight months in a year in every district, that being the average time in that town.

The continual increase of the common school fund would annually diminish the amount of taxation.

It is urged by the opponents of the system that those who have property are taxed to educate their own, as well as the children of the poor; and that those who are blessed with property, but denied children, are also obliged to contribute something for the education of the indigent. Those who have omitted their duty, or are more fortunate than their neighbors in the possession of property have no reason to complain of the trifling burthen which good fortune imposes upon them.

Are property holders wronged or injured by this system of taxation?

Property is the creature of the law. Its ownership is regulated by law. Even the income of some kinds of property is limited by law. Human beings are property in South Carolina; and the taxes, assessed upon them, and paid out of the earnings of their labor, go to the support of free schools, while in this State there can be no property in man.

Land is property, and in civilized countries it constitutes the bulk of all property; yet it is not property in the absence of law. What idea of property in land has a Camanche Indian, or a Calmuck Tartar? To him the land is as free for his roaming, as the air for his breathing, or the water for his drink. The wild Bedouin will guard as his own, his tent, his camel, his wife; but his laws are the keenness of his scimitar, and the fleetness of his steed.

The security of property is one of the paramount objects of government; but how shall that security be attained? By the stern restraints and crushing force of military power?

The experience of the last year, in Europe and America, has proven that there is greater security for persons and property, in the general intelligence and education of the people, than in an overawing soldiery.

Europe has been convulsed—cities have been the scenes of fearful and mortal strife—fields have been laid waste by contending armies—governments have been overthrown—revolution has followed revolution—uncertainty and insecurity are stamped upon all things—political changes have been effected only by civil war and commotion.

The people of the United States have effected the choice of a Chief Magistrate, involving a change in the policy of the government. It was accomplished in a day, with the cheerful and peaceful acquiescence of the Union.

These are the results of the intelligence and moral elevation of the American people.

There is a moral and intellectual power in the universal education of the people which furnishes more abiding security for persons and property than disciplined armies.

Property must be taxed to support a soldiery. Why should it not then contribute to a system of protection which may preclude the necessity of armies?

Crime and pauperism are too often the results of ignorance. The detection and punishment of the one and the support of the other, are mainly effected by the imposition of taxes upon property.

Is it not wise, then, to establish a system of education, universal and complete, which may in a great measure,

prevent the commission of crime, and avoid the evils of pauperism?

6. *The Normal School.*

The Normal School, under the management of its accomplished Principal, and able assistants, continues to meet the expectations of its founders and friends, and to deserve the patronage of the State.

For a detailed statement of its affairs, the Superintendent refers the Legislature to the annual report of the Executive Committee. He concurs in the opinion of the Committee that the abolition of the office of County Superintendent has injuriously affected the school.

The appropriation of \$15,000 for the erection of a Normal School House has been nearly expended. The house will be ready for the school in May. But an additional appropriation will be necessary to finish the interior and to furnish it with the conveniences needed to make it a complete model school. I trust the Legislature will make the necessary appropriation.

7. *The District School Journal.*

The Superintendent would earnestly recommend the continuance of the appropriation of \$2,400 to the District School Journal.

To secure a more regular and punctual receipt of the Journal, the Superintendent, by a circular, published in the August number, requested the several town superintendents, elected to take their offices on the first Monday of November, 1818, to send to this Department their names, the name of the town for which they were elected, their post-office address, the number of school districts in the town, and the post office to which the Journal should be directed for the districts.

The difficulty of holding a direct correspondence with those officers, 870 in number, is shown by the fact, that up to December 15, 1817 four months after the publication of the circular, only about half the number had responded.

This fact is an additional proof of the necessity of having some officer in every county, or Assembly district, specially charged with the administration of school affairs.

As soon as answers shall have been received from all the town superintendents in the State, a new set of mail books will be prepared and great care taken to have the Journal promptly and correctly mailed.

Since the town superintendents were authorized to take the Journal from the post-office, in case any district refused or neglected to do so, pay the postage, have the volume bound and placed in the District Library, the expense of the postage and binding to be deducted from the Library money of the delinquent district, very few complaints have been received from post-masters of its being left in the office.

8. *School Houses.*

There is doubtless a gradual improvement going on in the State in the construction of school houses. The log huts and unsuitable structures built at the first organization of many of our school districts, are giving place to more comfortable and convenient buildings. Probably the chief reason for the erection of so many ill-constructed and unsightly edifices, with single rooms and badly arranged desks, has been the want of a suitable work, containing plans and specifications for building school houses of all sizes and forms, adapted to the means and necessities of the various districts.

Such a work has been published within the past year by Henry Barnard, Commissioner of public schools in Rhode Island. It is entitled "School Architecture," and not only contains all that is desirable upon that subject, in the way of plans, specifications, instructions and descriptions, but is a compendium of useful knowledge, and practical suggestions, upon every topic relating to Common Schools.

If the work were placed in every district library, convenient for reference whenever a school house is to be built, or repaired, I have no doubt the saving of money would, in the course of three or four years, more than equal the cost of the book.

I do not hesitate to recommend to the Legislature to authorize the Superintendent to contract with the publishers for a number of copies sufficient to supply one for every district; and that the expense be deducted from the next annual appropriation of library money.

9. *Institutions for the Deaf and Dumb, and for the Blind.*

During the summer I attended the annual examination of the pupils in the Institutions for the Deaf and Dumb, and the Blind, in the city of New York.

The extraordinary progress made by the scholars in both Institutions, furnishes the strongest evidence of fidelity and devotion on the part of the Instructors.

I earnestly commend these noble charities to the continued favor of the State.

10. *General Observations.*

If this report, in its details, is not in all respects satisfactory, yet the general results are such as to gratify the most ardent friend of the Common School System. Imperfections are pointed out, that the Legislature may amend them. Inaccuracies are exposed, that they may be avoided in future. The school system, like all other institutions, is incomplete, and it cannot be expected that it should work with perfect accuracy. But its defects should be removed, and its discrepancies reconciled, by the law-making power, and its various parts, as far as practicable, harmoniously adjusted.

There are instances of trustees unable to read or write, intemperate, averse to common schools and education; and of town superintendents incompetent, and dishonest; of districts quarrelsome and blind to their true interests; yet these are all exceptions to the general rule. When we reflect that nearly a million of dollars is disbursed by eight hundred and seventy town superintendents in small sums, and at different times, to about thirty-two thousand trustees, and that the accounts of this expenditure are rendered by this legion of officers, we must see that perfect accuracy cannot be expected. And yet the account of disbursements and receipts varies but a few thousand dollars.

If the reports of Trustees show that 393,517 children have attended school less than four months during the year, we are also reminded that less than fifty years since the masses of the people were unable to obtain even the rudiments of an education. We must also recollect that the enlightenment and refinement of all ancient and most modern countries was limited to the favored few, and that the avenues to favor and preferment, except through the church, were closed against every person who could not claim descent from some Norman robber, or other freebooter, whom plunder had enriched and wealth ennobled.

If we consider, too, that over 350,000 children have attended school more than four months during the year, and that the attendance is every year increasing, we shall find no cause for discouragement. The actual school age is from four to twenty-one, (legally between five and sixteen,) and under the present organization of our schools, it is scarcely possible that all the children of the State should not attend at least four years in the course of seventeen.

Any person of ordinary capacity, who has had from four to six years instruction in the Common School, is fitted to perform well his part in most of the avocations of life. If he has been taught that most important part of all instruction, how to learn, he will continue to add to his acquisitions of knowledge.

It must be borne in mind, that it is not the object of the Common School to make finished scholars. Its great object is to give to all the first elements of an education. Such are the relations which the different employments in life have to each other, that but few are needed to become scholars by profession. The Common School system gives to the community at large, without respect to condition or means, the opportunity which, without it, would be enjoyed only by the rich, for the free unfolding and development of individual inclinations, tastes, and powers of mind.

The District School and the district library supply all with knowledge, and open to them its rich and varied stores.

In obedience to the settled conviction of the people, that it is the duty of every well constituted government to provide all its citizens with the means of education, the constitution guaranteed the integrity of the Common School Fund, and we may therefore hope, that the Common School System will be perfected, and continue to exist as long as the constitution and laws by which it is guaranteed and governed.

CHRISTOPHER MORGAN.

DISTRICT SCHOOL JOURNAL.

ALBANY, FEBRUARY 1. 1849.

TO CORRESPONDENTS.—All exchange papers and communications for the District School Journal should be directed to Albany.

☞ The office of the District School Journal is in the south east corner of the 3d story, new State Hall, Albany.

☞ The next number will close the 9th volume of the District School Journal. Subscribers wishing it to be continued, will please forward their names and address, with the amount of subscription.

SCHOOL LAWS.

The following pertinent and sound Resolutions were unanimously adopted by the Monroe County Teachers' Association:

WHEREAS we believe in the axiom, that intelligence and virtue run parallel with liberty—the more the former is diffused among the people, the more varied the blessings following from the latter; consequently it is incumbent upon all earnestly to support such measures as seem best calculated to promote the cause of Popular Education; therefore

1. *Resolved*, That while we are opposed to continual change in our School Laws, making them difficult to be understood, and perplexing to School Officers and Teachers, yet we are fully convinced that the existing law needs material alteration.

2. *Resolved*, That under the present system there is not sufficient stimulus to improvement; there is a want of efficient supervision, of reliable reports and datas, which have heretofore contributed to, and are especially calculated to promote the advancement of Common School Education.

3. *Resolved*, That Town Superintendents of Schools, cannot from their sphere of action be expected to do all that is requisite for the best interests of schools—that the compensation allowed them per day is inadequate to the services required, and but few can be found able and willing to work at a pecuniary loss, however important their services may be to the public.

4. *Resolved*, That we cordially approve of the recommendation of Gov. Fish, and the State Superintendent of Common Schools, for re-enacting the law creating the office of County Superintendent, or District Superintendent of Schools.

5. *Resolved*, That Superintendents of Schools should be elected by the people, and should receive such salary as to ensure the best talent.

6. *Resolved*, That the present law in relation to the manner of collecting school bills, is an anomaly in legislation. Teachers of Common Schools being singled out as a class of creditors who must wait sixty days for their pay after the money is due.

7. *Resolved*, That while we regard it as primarily ob-

ligatory upon all parents to provide for the education of their children, no less than to furnish for them necessary food and clothing, we regard it advisable as a State policy, that the State should establish a system of Free Schools throughout the State.

Resolved, That a copy of these Resolutions be forwarded by one of the Corresponding Secretaries of this Association to the Members of the Assembly from this county, with a request that they be presented to the Legislature of this State now in session.

¶ This number of the District School Journal is nearly filled with the admirable report of Hon. CHRISTOPHER MORGAN, the efficient Superintendent of Common Schools of this State. It is clear in its statements of the condition of the school funds and matters pertaining to the school system of this state, and eminently practical in suggestions for the improvement of its workings. The subject of *school supervision* is ably presented, and we trust will induce the restoration of a most valuable feature in the system, with such modifications as experience will readily suggest.

The benefits of a Free School System are clearly and unreservedly enforced. We have no doubt that this portion of the report will be fully sustained by public opinion. The time has arrived for the people of this state to adopt the principle that its capital shall educate its mind. A more opportune period for putting such a system in operation cannot occur than the present, as it would have the benefits of the labors of the present enlightened and practical Superintendent.

We hope the friends of a Free School System will lose no time in obtaining signatures to petitions for the passage of such a law, and forward the same to the department at Albany. A Free School bill is now before the Senate, which will undoubtedly pass at this Session of the Legislature, if the friends of popular education will press the subject by means of petitions.

We again refer our readers to the conclusive arguments of the State Superintendent, and hope they will lose no time in pressing this subject upon the attention of the present Legislature.

Obituary.

We discharge a painful duty in announcing the death of ARTHUR M. FOSTER, for several years a faithful and highly successful teacher in the city of Rochester. He was zealous in the discharge of his professional duties, and improved every opportunity of elevating the public sentiment in regard to the cause of popular education. The following very appropriate preamble and resolutions were adopted at a late meeting of the Monroe County Teachers' Association:

Whereas, It has pleased Almighty God to remove by death the President of this Association, Arthur M. Foster, who was one of its founders, and who was at all times and in all capacities, one of its ablest, most efficient, and most useful members; therefore

Resolved, That the Monroe County Teachers' Association has in his death sustained a loss which is most deeply deplored by it as a body, and by its members as individuals.

Resolved, That the cause of education, to which he had devoted the best energies of a powerful and highly cultivated intellect, and in which he labored with great zeal and assiduity, has by this painful dispensation of

Providence been deprived of the support of a masterly mind, and of the labors of one who never grew weary in well-doing.

Resolved, That this Association deeply sympathize with his afflicted family in their painful bereavement, and that it mourns with them, the loss of a head to which it had been wont to look for guidance and direction in its duties.

Resolved, That a copy of these resolutions be presented by the Secretary of the Association to the wife of the deceased, and that they be published in the District School Journal.

STATE OF NEW-YORK,
DEPARTMENT OF COMMON SCHOOLS,
Albany, January 8, 1819.

A destructive fire, which occurred at Syracuse, on the morning of the 6th inst., destroyed the mail books and all the back numbers for the past year of the District School Journal.

The office of the Journal will be immediately removed to Albany, where all letters may be addressed to the care of the Department.

The several Town Superintendents of the State are requested, without delay, to report to this Department their own names, the name of their town and their post office address, the number of school districts, the school house of which is situated in their town, and the post office to which the Journal shall be directed for each district.

The publication of the Journal will not be suspended, the February number being now in press. The papers will be directed to the Town Superintendents and School Districts, as fast as the returns are received.

Newspapers will confer a favor by copying this circular.
CHRISTOPHER MORGAN,
Superintendent Common Schools.

From the above, it will be seen that all the books and other property belonging to the District School Journal have been destroyed. This occurred when two new sets of mail books, carefully revised from the returns of Town Superintendents, were nearly completed. The loss and consequent embarrassment attending it, will be overcome as rapidly as possible. In the mean time, we hope school officers and subscribers will do all in their power to enable us to replace our mail books, by forwarding information in regard to omissions or errors in the direction of this paper.

Subscribers in other states will confer a favor, if omissions are known to them, by informing the editor, as the paper can be sent only to those whose letters were saved.

COUNTY SUPERINTENDENTS OF SCHOOLS—Gov. Fish, among the many sensible and sound things in his Message, recommends the restoration of the office of County Superintendent of Common Schools. The repeal of the law providing for the appointment of this officer, was of that species of legislation in opposition to the wishes of the people, for which there is no accounting. It is true petitions for its repeal were sent to the Legislature year after year, but they were few and generally came from counties where some local cause operated against the law—as, for instance, a county wherein an incompetent Superintendent had been chosen. Had the friends of the law supposed that there had been the least probability of a repeal, the legislature could have been flooded with remonstrances against such unwise action.

We have observed with no inconsiderable interest the working of the system of which County Superintendents formed a part. The effect upon the character of the schools in this section, at least, can but be computed to that of a plentiful supply of gypsum upon a comparatively unproductive soil. An interest was awakened throughout the community, and everywhere there seemed

to be a juster appreciation of the importance of the influence and mission of our common schools than had ever before prevailed. Teachers caught the spirit—the people caught it, and all labored in concert for the elevation of the character of these Colleges of the people. And, in our opinion, to no one thing was this awakened interest more owing than to the County Superintendents. And since the abolition of the office, we have observed a falling off in the interest upon this subject which hitherto prevailed; and we are glad that Gov. Fish has recommended the restoration of the office, as one of the first acts of his incoming administration. This recommendation should be followed up by the friends of such a measure, in circulating petitions and obtaining signatures in favor of the re-enactment of the law creating the office County Superintendent of Schools.—*Buff. Com. Adv.*

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